

### REMARKS

Claim 26 stands allowed. Claims 1-3, 7, 19-20, and 23-25 have been cancelled without prejudice to continued prosecution. Claims 4-6, 8-9, 11, 18, and 21-22 have been amended to depend from allowed claim 26. No new matter has been added. Applicant respectfully requests entry of the above amendments, which raise no new issues that would require further consideration and/or search, and which place the application in better condition for allowance.

#### Rejections under 35 U.S.C. § 102

The Examiner maintained the rejection of claims 24 and 25 under 35 U.S.C. §102(b) as being anticipated by Ucar et al. This rejection is moot as claims 24 and 25 have been canceled. The Examiner is requested to withdraw the rejection under 35 U.S.C. §102(b).

#### Rejections under 35 U.S.C. § 103

The Examiner maintained the rejection of claims 1-8 and 18-22 under 35 U.S.C. § 103(a) as being unpatentable over Markovic et al. in view of either Golub et al., Toliou et al. or Neefe et al., the rejection of claim 23 under 35 U.S.C. § 103(a) as being unpatentable over Markovic et al. in view of either Golub et al., Toliou et al. or Neefe et al., and the rejections of claims 1-6 and 18-25 under 35 U.S.C. § 103(a) as being unpatentable over Lennard et al. Applicants have canceled claims 1-3, 7, 19-20, and 23-25, and amended claims 4-6, 8, 18, and 21-22 to depend from allowed claim 26. The Examiner is respectfully requested to withdraw the rejections under 35 U.S.C. §103.

### CONCLUSION

Applicants respectfully request reconsideration and allowance of claims 4-6, 8-12, 18, and 21-22 in view of the above amendments. The Examiner is invited to telephone the undersigned agent if it is felt that such would advance prosecution of the application.

Attached is a marked-up version of the changes being made by the current amendment.

Applicant : Svetomir N. Markovic  
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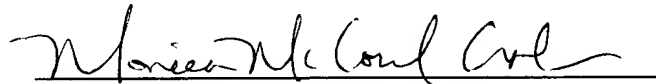
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No fees are due as this response is being filed before the end of the shortened statutory period. Please apply any other charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: \_\_\_\_\_

7/30/01



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**Version with markings to show changes made**

**In the claims:**

Claims 1-3, 7, 19-20, and 23-25 have been cancelled.

Claims 4-6, 8-9, 11, 18, and 21-22 have been amended as follows:

4. (Twice Amended) The method of claim [1] 26 wherein said immunostimulatory dosage is about  $500 \text{ U/m}^2$  to about  $500,000 \text{ U/m}^2$  per day.

5. (Twice Amended) The method of claim [1] 26 wherein said immunostimulatory dosage is about  $500 \text{ U/m}^2$  to about  $250,000 \text{ U/m}^2$  per day.

6. (Twice Amended) The method of claim [1] 26 wherein said immunostimulatory dosage is about  $500 \text{ U/m}^2$  to about  $100,000 \text{ U/m}^2$  per day.

8. (Amended) The method of claim [7] 26 wherein said dosage is administered once per day.

9. (Amended) The method of claim [7] 26 wherein said immunostimulatory dosage increases NK lymphocyte cytotoxicity at least about 50% above the NK lymphocyte cytotoxicity measured prior to administering said dosage.

11. (Amended) The method of claim [7] 26 wherein said immunostimulatory dosage increases NK lymphocyte cytotoxicity at least about 75% above the NK lymphocyte cytotoxicity measured prior to administering said dosage.

18. (Amended) The method of claim [1] 26 wherein said non-resectable malignant tumor is selected from the group consisting of breast cancer, lung cancer, pancreatic cancer, brain cancer, prostate cancer, ovarian cancer, uterine cancer, renal cancer, and melanoma.

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21. (Amended) The method of claim [1] 26 wherein said non-resectable malignant tumor is a melanoma.

22. (Amended) The method of claim [1] 26 wherein said non-resectable malignant tumor is a renal carcinoma.